



Legal Services Corporation

Testimony before the
House Appropriations Committee
Subcommittee on
Commerce, Justice, State, the Judiciary and
Related Agencies

Submitted by
LSC Chairman Frank B. Strickland
LSC President Helaine M. Barnett

April 1, 2004

Introduction

Mr. Chairman, Congressman Serrano and Members of the Subcommittee, thank you very much for the opportunity to testify before the House Appropriations Subcommittee on Commerce, Justice, and State, the Judiciary, and Related Agencies. On behalf of the Legal Services Corporation's (LSC) Board of Directors and staff, we are pleased to have this opportunity to report on the Legal Services Corporation's activities and to discuss our Fiscal Year 2005 budget request.

Legal Services Corporation is a private, nonprofit corporation created by Congress with bipartisan support in 1974. The LSC Board and staff are committed to our mission, as defined by the LSC Act, to promote equal access to our system of justice for low-income people throughout the United States who could not otherwise afford civil legal representation. LSC is grateful for the support it has received from this Subcommittee under Chairman Wolf's leadership and for the continued support of the Bush Administration. By addressing the core legal needs of the poor and vigilantly monitoring our grantees to ensure compliance with all congressional mandates, LSC has established strong bipartisan support for its important mission. The LSC Board and staff remain firmly committed to pursuing an agenda dedicated to helping eligible low-income clients address their basic, but critical civil legal problems.

For FY04, Congress appropriated \$338.8 million to LSC, \$322,948 million of which has been allocated in grants to fund 143 legal services programs serving every U.S. county and territory.¹ LSC spends less than 4 percent of its total appropriation for the management and administration of the national program. For FY05, LSC seeks an appropriation of \$352.4 million to increase the availability of legal services to its rapidly growing eligible client population. More than \$14.5 million of this increase would be allocated to increase basic field grants to all LSC funded programs. LSC's Technology Grant Program would be allocated an additional \$1 million over FY04 levels. An increase of only \$500,000 would be allocated to Management and Administration to cover increases in health insurance costs, cost of living adjustments and other expenses. LSC would zero-out the Census Adjustment funding that was distributed among ten states in FY04. In total, LSC is seeking a modest four percent funding increase that would help us provide much-needed relief to struggling programs to help them better address the large and growing unmet need for legal services for eligible low income people.

The federal government remains the single largest and most important funding source for civil legal services nationally. The 2000 U.S. Census reported an increase in the number of Americans living in poverty. More than 43 million people are now eligible for federally funded legal assistance, which is a record-high. From 1990 to 2000, the number of people living in poverty in all LSC service areas increased by 5.7 percent; meanwhile LSC's appropriations have decreased in terms of real dollars. Without a modest federal funding increase, more LSC grantees will be forced to consider painful office closures and staff layoffs, which will result in many clients with pressing legal needs being turned away from vital legal assistance for which they are eligible under federal law.

¹ Pre-rescission figures are used throughout this testimony.

Administration

LSC is governed by an 11-member Board of Directors appointed by the President of the United States with the advice and consent of the Senate. By law, the Board must be bipartisan; no more than six members can belong to the same political party. The Board appoints LSC's President, who serves as LSC's chief executive officer, subject to general policies established and promulgated by the Board. The Inspector General is appointed by, reports to, and serves under the general supervision of LSC's Board of Directors. LSC spends less than 4 percent of its total appropriation on management and administration. These funds are necessary to ensure the effective delivery of services and compliance with Congress' mandate. LSC currently supports 93 full-time paid staff positions; the Office of the Inspector General employs 14.

Testifying on behalf of LSC are LSC President Helaine M. Barnett and LSC Chairman Frank B. Strickland. Ms. Barnett assumed her position as President of LSC on January 20, 2004. She has been a legal services attorney for 37 years, employed throughout that time at the Legal Aid Society of New York City, the country's oldest and largest legal services organization. For nearly three decades prior to assuming the LSC presidency, Ms. Barnett was involved in the management of the Legal Aid's Society's multi-office civil division, heading it since 1994. In that capacity, she oversaw the provision of legal services covering the full range of civil legal problems of the poor, established a major initiative for homeless families with children, created citywide health law and domestic violence projects, and mobilized the organization's 911 Disaster Assistant Initiative. Ms. Barnett also assumed many additional leadership responsibilities within the legal community at the national, state, and local levels. She is a co-chair of the New York State Commission to Promote Public Confidence in Judicial Elections; Treasurer of the Association of the Bar of the City of New York; a member of the American Bar Association Governance Commission and House of Delegates and a past member of the ABA Board of Governors, where Ms. Barnett was the first and only legal services attorney to serve. Ms. Barnett was also a member of the ABA Executive Committee.

Mr. Strickland is a partner in the Atlanta law firm of Strickland Brockington Lewis, LLP. He served for seven years on the board of the LSC-funded Georgia Legal Services Program and for four on the board of LSC-funded Atlanta Legal Aid Society. President George W. Bush nominated him to the LSC Board in 2002, and he was sworn in as a member and elected Chairman in 2003. Mr. Strickland has been a member of the Board of Governors of the State Bar of Georgia since 1985 and is a former member and chairman of the Georgia State Ethics Commission. He has been general counsel of the Georgia Republican Party and is a member of the Board of Governors of the Republican National Lawyers Association. In addition, he is Chairman of the Atlanta Lawyers Chapter of the Federalist Society. When Mr. Strickland was President of the Atlanta Bar Association (1985-1986), he received the American Bar Association's Harrison Tweed Award for coordinating the year's outstanding pro bono project in America – mobilizing more than 400 volunteer lawyers to provide representation to more than 800 Cuban detainees in administrative parole proceedings.

2005 Budget Request

Congress created LSC to “provide equal access to the system of justice in our Nation for individuals who seek redress of grievances” and to “provide high quality legal assistance to those who would otherwise be unable to afford adequate legal counsel.” LSC’s budget request continues to emphasize the core work of the organization: serving low-income clients with critical civil legal needs. LSC’s FY05 request is structured to allow LSC to meet three key goals:

- To increase the availability of legal services to eligible persons;
- To ensure legal services clients are receiving high-quality legal assistance; and
- To ensure that legal services programs fully comply with all legal requirements.

For FY05, LSC requests an appropriation of \$352.4 million to provide funding for civil legal assistance to eligible low-income persons throughout the United States. This represents a modest four percent increase over LSC’s FY04 appropriation and would help account for the increased number of eligible poor clients living in many LSC service areas. The more than 43 million low-income Americans currently eligible for federally funded legal services make up the largest eligible client population in LSC’s 30-year history. Despite the hard work and dedication of advocates at LSC-funded programs, our best estimates are that more than 80 percent of eligible clients do not have access to legal services. LSC will allocate the \$14.5 million requested increase to basic field programs, which continue to operate under extremely tight fiscal constraints.

For FY05, LSC seeks only \$13.8 million for the management and administration of the national legal services program, which represents less than four percent of LSC’s total budget request. With a small and efficient staff, LSC’s management operates a competitive grants system that promotes the efficient and effective delivery of high-quality legal services and ensures accountability to Congress and the taxpayers through aggressive oversight. The slight increase over last year’s \$13.3 million appropriation is necessary to continue to ensure compliance with congressional restrictions, to cover increased insurance costs and annual compensation increases of two percent, and to continue rendering technical assistance to LSC programs on a wide range of issues.

The FY05 request eliminates funding for the census adjustment line item that had been included in LSC’s budget during the previous two fiscal years. In FY03 and FY04, as a transitional measure, extra funding was set aside to assist LSC-funded programs facing significant federal losses due to poverty population shifts. The census funding adjustments enabled grantees to gradually adjust to lower funding levels and gave program leaders an opportunity to reallocate scarce resources and devise strategies to raise additional non-federal funds. For FY05, LSC asks that its funding be distributed proportionally among all grantees based on *per capita* determinations of the eligible poor living in each service area.

LSC's Office of the Inspector General requests \$2.6 million dollars for FY 2005. The Inspector General establishes its own budget separate from and independent of LSC management.

Census Reallocations

LSC is required, by statute, to use the most recent United States Census data when it distributes federal funds appropriated for the purpose of providing civil legal assistance to the poor. The 2000 U.S. Census reported a 5.75 percent increase in America's overall poverty population over the previous decade. Since LSC distributes field grants on a *per capita* basis, grantees with client poverty populations that grew by less than 5.75 percent actually lost funding. Some states that experienced an *increase* in eligible poor clients actually experienced a *decrease* in LSC funding because their overall proportion of people living in poverty grew at a smaller rate than other states. As a result of budget cuts, many LSC-funded programs had to lay off attorneys and close local offices.

Beginning in FY03, twenty-six states and Puerto Rico were slated to lose a total of \$19 million in federal funds annually because of changes in their poverty populations. Recognizing an imminent funding crisis, the Senate adopted an amendment sponsored by Senators Tom Harkin (D-IA), Gordon Smith (R-OR) and Pete Domenici (R-NM) that would have restored full funding to the affected states. The final number was reduced by one-half, to \$9.5 million, in a House-Senate Conference Committee. In the end, the FY03 increase meant that affected states recovered slightly less than half of their census-based funding losses. For FY04, \$2.5 million in census offsets were allocated to assist the ten states facing the largest losses, restoring an average of 20 percent of the census-based losses for programs in those states.²

LSC chose not to request census offset funding in FY05, given that we have provided two years of transitional relief. LSC leadership believes it is important to return to the *per capita* funding formula based on each service area's eligible poor. Indeed, every state faces considerable resource challenges in meeting the legal needs of its poor; federal funding should be distributed proportionately.

Unmet Client Needs

Congress' investment in civil justice for all Americans has become even more critical in recent years, during which non-federal funding sources have dropped precipitously. As a result, LSC-funded programs are forced to turn away thousands of qualified individuals with urgent civil legal problems. These include victims of domestic violence seeking divorces from their abusers, parents seeking custody arrangements to protect their children, elderly consumers seeking protection from fraudulent loan

² The ten states that received the census adjustments in 2004 were Michigan, Ohio, Louisiana, Mississippi, Illinois, Kentucky, Wisconsin, Minnesota, Pennsylvania, and Iowa.

collection practices, tenants seeking to keep their families off the streets, and veterans and seniors seeking vital government benefits.

A benchmark ABA study conducted in 1994 showed that an estimated 80 percent of eligible clients are unable to access civil legal services when confronting a legitimate legal problem in which the advice and counsel of an attorney could make a critical difference. Since the ABA's ground-breaking study a decade ago, more than 20 states have conducted their own independent legal needs surveys, which corroborate the ABA findings. If anything, more recent surveys indicate that many states are now serving fewer than 1 in 5 eligible poor, which comports with the record-high 43 million eligible poor clients.

A sample of recent state legal needs studies demonstrates the continuing inability of a large majority of poor Americans to meaningfully access the civil justice system.

- Connecticut: Only 8 percent of the civil legal needs of poor people are addressed by legal services organizations.³
- Massachusetts: Only 14 percent of low-income people in need of civil legal help are able to secure legal assistance.⁴
- New Hampshire: One party represents him or herself in 85 percent of all civil cases.⁵
- New Jersey: Legal services programs are only able to serve approximately 12 percent of low-income people in need of assistance.⁶
- Oregon: Fewer than 20 percent of low-income people are able to obtain legal assistance. Of those, legal services programs had the resources to handle only 9.6 percent of the cases.⁷
- Washington: Low-income people face more than 85 percent of their legal problems without an attorney. Women and children have more legal problems than the general population—mostly due to matters relating to family law and domestic violence.⁸

There are significant practical implications surrounding the distressingly high number of poor Americans who are unable to get the legal assistance they so desperately need. Courthouses across the country, already overwhelmed with expanding caseloads, experience significant and costly delays as more litigants, unable to secure representation, attempt to represent themselves. A January 2004 study by a New Hampshire Supreme Court Task Force on Self-Representation noted, "Court and staff literally spend hundreds of hours

³ Civil Legal Needs Among Low-Income Households in Connecticut, A Report by CSRA at the University of Connecticut, April 2003.

⁴ Massachusetts Legal Needs Survey, Submitted to the Massachusetts Legal Assistance Corporation, May 2003.

⁵ Challenge to Justice, A Report on Self-Represented Litigants in New Hampshire Courts, New Hampshire Supreme Court Task Force on Self-Representation, January 2004.

⁶ Legal Problems, Legal Needs, A Report from the Poverty Research Institute of Legal Services of New Jersey, 2002.

⁷ The State of Access to Justice in Oregon, Submitted to the Oregon State Bar, March 2000.

⁸ The Washington State Civil Legal Needs Study, Task Force on Civil Equal Justice, Washington State Supreme Court, September 2003.

responding to inquiries from *pro se* litigants. Both judges and court staff are often put in the difficult position of assisting a self-represented litigant without impermissibly giving legal advice.”

Unfortunately, the ratio of attorneys at LSC-funded programs to eligible clients is on the decline. In 1980, the legal services community achieved a level of one lawyer for every 5,000 eligible low-income Americans. However an increasing poverty population and a substantial 1996 budget cut of \$122 million has resulted in the still worse ratio of one LSC-funded attorney for every 11,500 eligible poor people. Another reason for the dwindling workforce has been the inability of LSC appropriations to keep pace with inflation. Over the past-quarter century, LSC’s funding has been outpaced by inflationary increases at a rate of more than 2 to 1. Current funding, adjusted for inflation, equals just \$149.17 million (in 1980 real dollars).

Caseloads

LSC grantees close approximately one million cases annually on behalf of low-income clients. Moreover, federally funded legal services programs handle an additional estimated 4 million “matters” annually – assistance that falls short of the official definition of a case (i.e., *pro se* assistance, dissemination of community legal education materials, referrals, mediation assistance, etc.). The LSC service delivery system continues to be a model of efficient dispute resolution. Fewer than 10 percent of LSC-funded cases are resolved by court decision, the majority of which are family law cases that require a court determination. On the other hand, nearly 75 percent of cases in 2002 were resolved through advice, referral or brief services, maximizing the limited resources available to serve the most clients possible.

LSC clients represent the diversity of this country, encompassing all races, ethnic groups, and ages. They include the working poor, veterans, family farmers, people with disabilities, and victims of natural disasters. About three quarters of LSC’s client population are women, many with young children. Almost 11 percent of clients are elderly. About one-quarter of the client population is African-American; about 20 percent is Hispanic; and approximately two percent are Native American and another two percent are Asian or Pacific Islander in origin. LSC is charged with helping these clients with a workforce consisting of 8,277 full-time staff, including 3,652 attorneys.⁹ The average starting salary for a staff attorney is \$33,489, making legal services lawyers among the lowest-paid members of the legal profession.¹⁰

LSC’s annual caseloads fall into traditional poverty law categories. Grantees close almost 40 percent of their cases in family law each year, representing custodial parents and victims of domestic abuse seeking divorces and orders of protection. Almost one-quarter of our grantees’ litigation is devoted to housing law issues – preventing family

⁹ Based on 2002 Case Service Reports.

¹⁰ Legal Services Corporation 2002 Summary of Average Salaries by Job Classification for Full Time Recipient. (www.rin.lsc.gov)

homelessness by challenging evictions, preventing foreclosures, improving living conditions, helping with Section 8 and other federal housing subsidies or through community activities to improve neighborhoods and develop affordable housing. More than 10 percent of our closed cases involve efforts to help elderly clients with income maintenance issues, veterans benefits, disability claims, and other relief under benefits programs designed for older Americans. Our programs' lawyers keep children in school by representing them in expulsion hearings and their advocacy helps ensure students with disabilities can learn in effective and appropriate settings. LSC grantees make sure that the working poor have access to fair employment and the wages to which they are entitled. Our grantees also provide consumer protection and relief from financial losses caused by predatory lenders.

The Office of Information Management (OIM) is responsible for managing the Case Service Reports (CSR) grantees filed by each LSC grantee annually. In 1999, two U.S. Government Accounting Office (GAO) reports raised questions about the accuracy and validity of the CSRs. Problems reported by GAO stemmed in part from a lack of clarity found in past LSC reporting guidelines, and, more generally, from insufficient attention by grantees to the existing reporting and documentation requirements. LSC took extensive and successful corrective action, first giving grantees more detailed guidance on CSR reporting and on improving their case management systems to comply fully with LSC's operational standards. Then, LSC provided additional training to those grantees that demonstrated a need for further assistance. LSC also established a system for sampling CSR data so that grantees can self-diagnose and correct reporting problems and LSC can track the error rate of each grantee.

Since taking these steps, CSR accuracy has improved measurably from year to year. The CSR sample error rate¹¹ of 11 percent in 1999 dropped to 4.9 percent in 2000, then to 4.3 percent in 2002, and most recently, to a projected sample error rate between 4.2 and 4.3 percent in 2003. In reporting annual grantee caseloads, LSC considers the goal of "substantial accuracy" to have been achieved. LSC will continue to pay close attention to the quality of CSR reporting to ensure the integrity of CSR figures, which are our strongest hard numerical indicator of services delivered on a national and individual program basis.

Ensuring Compliance

LSC continues to devote considerable staff resources to compliance and enforcement activities, in order to ensure that federal recipients abide by congressional requirements and restrictions enacted in 1996 and all applicable laws and regulations governing federally funded civil legal aid programs. LSC's Office of Compliance and Enforcement (OCE) was established to ensure that congressionally mandated requirements and restrictions and other regulations are adhered to by LSC grantees. OCE's responsibilities include reviewing compliance by grantees

¹¹ For 2002 cases, one more adjustment was made, excluding Title III Administration on Aging cases where collection of financial eligibility data is restricted by law. This adjustment reduced reported case closures by about another 35,000.

with the LSC Act and regulations; responding to public complaints; approving major expenditures by LSC recipients; conducting accountability training; and providing follow-up to certain findings and recommendations contained in grantees' audited financial statements. The FY05 budget for OCE is \$2.561 million, which will support a 17-member staff comprised of a Vice President for Compliance and Enforcement, a Director of Compliance, a dozen attorneys, two fiscal analysts, two support staff, and a management analyst.

Restrictions enacted by the Congress in 1996 prohibit grantees who accept LSC funding from, among other things, filing or litigating class action lawsuits, engaging in most types of lobbying, seeking or receiving attorney's fees, litigating on behalf of prisoners, or representing undocumented aliens. LSC has promulgated regulations fully implementing these restrictions and monitors its grantees closely to ensure their strict compliance with the regulations. The LSC Board and management have not hesitated to take strong and decisive action when grantees fail to comply with the law or LSC regulations. Fiscal sanctions have and will be imposed where necessary and appropriate, up to and including termination of the entire grant.

In 2003, OCE performed 39 on-site reviews, surpassing its goal of 32 reviews annually. OCE will perform at least its goal of 32 reviews in 2004, and hopes to maintain approximately the same level in 2005. OCE investigates public concerns, closely reviews mandatory annual audits filed by each LSC grantee, and performs on-site reviews to ensure that all congressional restrictions on LSC-funded programs are enforced. OCE selects programs for onsite review based on a combination of a number of criteria, including complaints of non-compliance, referrals from the Office of the Inspector General, a considerable change from one year to the next in Case Services Reports, and other indications. Since 2001, LSC has also had the authority to conduct random compliance reviews. Finally, if OCE uncovers a serious violation of the restrictions or if a grantee implements a corrective action plan to resolve a compliance problem, OCE will perform a follow-up review within one year of the last review and render technical assistance to ensure effective implementation of the corrective action plan.

The LSC Board and management are confident in the effectiveness of LSC's compliance efforts. Because we use indicators such as complaints from Congress and the public to determine which programs to review, we pay proper attention to those grantees against which serious allegations have been made. In addition, the possibility of random audits occurring at any time is another effective safeguard against non-compliance. Finally, Independent Public Accountants (IPAs) perform annual reviews which examine each LSC grantee to ensure compliance with LSC regulations and congressional restrictions. IPAs report any and all evidence of non-compliance to the Inspector General, who in turn refers the findings to LSC management for follow-up and resolution.

Maximizing the Federal Investment

The central role of LSC is to manage and oversee federal funds that support the direct provision of legal services by the 143 legal services providers that serve every county in the U.S. and the territories. It is LSC's responsibility to ensure that federally funded legal services are of the highest quality, comport with professional standards, and comply with the requirements and restrictions established by Congress. The FY 05 Budget for the Office of Program Performance is \$3.37 million.

Since 1996, LSC has used a system of competition for grants to promote the economical and effective delivery of services, as required by the LSC Act. This system supplanted the previous system of presumptive refunding for LSC grantees. During the competition process, LSC evaluates applications according to established quality standards and awards grants to those providers best qualified to provide high-quality legal services in accordance with applicable legal requirements.

In 1998, LSC implemented the State Planning Initiative as LSC's principle means to achieve substantive reform in the federally funded legal services community. The Initiative called upon LSC grantees to examine ways to develop and expand effective statewide delivery systems and to reduce geographic service disparities for clients living in remote or underserved parts of a state. Particular attention was also paid to implementing new efficiencies, as LSC rededicated itself to making the highest and best use of federal dollars and grantees began to leverage their federal funding to raise additional resources from state, local, and private sources. State Planning called on all LSC programs to develop comprehensive plans to coordinate and integrate their work in seven areas: expanding client access and efficiency; utilizing technology to expand access and enhance services; promoting client self-help and preventative legal education and advice; coordinating legal work and training; collaborating with the private bar and other community stakeholders; expanding grantees' resource development efforts; and configuring LSC service areas in a more efficient and effective manner to enhance client services and reduce barriers to assistance.

Consistent with LSC's vision of creating more effective and efficient statewide delivery systems, grantees have engaged in an ongoing process of service-area reconfiguration to maximize the return on the federal investment. In the five years since State Planning's implementation, the number of LSC grantees has dropped from 261 to 143 carefully selected legal services providers, while the quality of services being rendered to clients has uniformly improved. Where state planning resulted in mergers, such mergers generally involved joining very small LSC programs with larger ones. Grantees with fewer resources were combined with those more capable of attracting more expert staff, additional non-federal funds, and greater private bar participation. The anticipated result from such mergers is more high-quality, uniform service across the state.

State Planning, in conjunction with federally mandated competition for LSC grants, fully comports with strategies set forth in President Bush's 2001 *Management Agenda*, which directed all federal agencies to leverage resources to maximize the use of limited government funds. The most enduring legacy of LSC's State Planning Initiative may be its success in achieving that directive. Through State Planning, LSC spawned

partnerships with judges, legislators and private bar members to help increase state funding and private contributions for legal services.

Serving Clients with Special Needs

LSC's mission is to serve the poorest of the poor. Even within that category, there are clients with special needs for whom LSC has a responsibility to serve. We have made strides in expanding access to legal services for persons with limited English speaking abilities, the fastest growing client subgroup. We fund programs to help Native Americans with a wide range of legal problems. Another population served by legal services attorneys is migrant workers who face numerous obstacles in obtaining legal assistance, including language barriers and a lack of a permanent home because of a need to follow the harvest. We serve veterans, administering a grant to the Veterans Pro Bono Program, which provides representation to veterans and their dependents unable to afford the cost of representation before the U.S. Court of Veterans Appeals. In order to serve one of our most vulnerable client populations, many grantees have established special projects staffed by attorneys with expertise in issues that impact the elderly.

Another way LSC-funded programs assist clients with special needs is through the Quality Initiative, which is particularly valuable to rural communities that often lack the resources and networking possibilities of more populated urban areas. In particular, LSC is seeking new ways to effectively serve its fast-growing non-English speaking clientele. Now, we are studying how specially tailored delivery models can better serve these sparsely populated areas and how we can promote leadership development and succession planning there. We are also exploring new options for capacity-building in rural areas, such as modern self-help centers where clients can download information to become more effective advocates for themselves.

Promoting Efficiencies Through Technology

LSC's Technology Initiative Grant (TIG) program supports projects to develop, test and replicate technologies that enable programs to improve program efficiency and enhance client access to high-quality assistance in the full range of legal services. Initiated with a special appropriation in FY00 and funded by Congress every year since, the TIG program awards grants to LSC grantees through a competitive grant process. LSC awarded 51 TIG grants in 2003. In FY05, LSC plans to allocate \$4 million to the TIG program. Since the program's inception, LSC has funded a range of pioneering and effective technology projects. *Pro se* initiatives have equipped clients with the tools and support to protect their legal interests while increasing the efficiency of the courts. Web-based systems, video-conferencing and related approaches have increased access to justice for clients living in remote areas. Newly designed case management and intake systems, as well as other infrastructure investments, offer increased efficiencies that enable programs to save time and money and ultimately serve more clients. Finally, client-centered statewide legal services web sites provide legal information in 49 states and territories, thanks in part to TIG grants and ongoing technical assistance funded with TIG monies. Using these tools, clients can more

easily obtain legal information through computers in their homes or at public venues such as libraries. Meanwhile, attorneys can instantly share expertise with colleagues and peers.

The TIG program has increased access to legal information, self-help resources and other legal assistance for low-income Americans. It has also given traditionally hard-to-reach clients living in isolated areas a new avenue to pursue and obtain legal aid. TIG awards have allowed many LSC grantees to leverage matching funds from other sources. For instance, our program in Alaska received matching funds from the Alaska Court System to install and configure workstations in each of the six state courthouses. These provide access to public legal education and self-help materials in both English and in *Yup'ik*, a traditional Alaskan language.

Another replicable TIG innovation is our Montana pilot project on teleconferencing, which has enabled the Sixteenth Judicial District (200 miles in diameter) to hold trials in county courthouses throughout the area by utilizing video conferencing technology to hear from witnesses who live far from the actual courthouse. Many judges throughout the state now hold trials via teleconferencing. Sheriffs no longer have to bring in witnesses and litigants who lack transportation and judges can make better assessments of witnesses' and litigants' mental capacities when they are in familiar surroundings. Overall, court proceedings take far less time.

California's I-CAN! project is another innovative example of a TIG project. I-CAN! is a web-based legal services kiosk that offers convenient, effective access to vital legal services. Developed by the Legal Aid Society of Orange County, in partnership with the courts, local government agencies, libraries and legal services organizations, I-CAN! creates properly formatted pleadings, provides court tours, and educates users on the law and how to pursue their matter. I-CAN! software facilitates completion and filing of forms on complaints regarding parental obligations, domestic violence restraining orders, orders to show cause, earned income tax credits, fee waivers, license denial reviews; paternity petitions, small claims matters and unlawful detainers. Users can access the program for free on any computer connected to the Internet and through kiosks in courthouses, legal aid offices, community centers, women's shelters, and libraries. It serves hard to reach groups such as rural communities and individuals with limited or no English proficiency as some modules can be accessed in Spanish and Vietnamese.

Improving Quality

LSC management and the Board's Committee for the Provision of Legal Services launched a Quality Initiative in 2004 to study ways to enhance and promote the delivery of high-quality assistance by federal grantees. LSC is committed to identifying and subsequently spurring the development of certain core quality standards in its grantees. Working with the American Bar Association, we will revise performance standards developed by the ABA's Standing Committee on Legal Aid and Indigent Defendants as well as those from other professions. Consensus has already been reached on certain quality benchmarks: effective case management systems, competent staff, peer review, resource development,

consistently strong client outcomes and high client satisfaction. Other standards under examination include client involvement, workforce diversity, client accessibility, strategic use of scarce resources, and dissemination of best practices among providers. LSC will continue to examine how our most successful programs have achieved high quality and ways that we can export their successes to other members of the LSC community.

It is essential that LSC have a strong presence in the national legal services community and be visible among its grantees as we assist them with their profoundly important mission. During the last two years, we have increased the number of quality site visits to grantees and have already realized significant benefits from the effort. LSC has been able to offer improvements and provide mentoring, partnership and assistance in ways that allow grantees to deliver quality legal services.

Helping Clients

LSC is best understood in terms of the clients our programs assist. They are all poor individuals and families who face overwhelming legal challenges. We have selected several client histories that are indicative of the range of cases that our grantees across the nation handle where the provision of civil legal assistance has made a critical difference in their lives.

Ms. K. came to the Legal Aid Society of Orange County (LASOC) when she was 20 years old and the mother of a young son. She and her boyfriend began dating when she was 17 years old, and the severe physical abuse began two weeks later. He beat and kicked her repeatedly, hit her in the stomach when she was pregnant, isolated her from her family and friends, was verbally abusive, and refused to allow her to go out without him. He took her to and from her job and forced her to turn over her paycheck to him. She finally was fired because she was so stressed on the job from the situation at home. Despite her best efforts to please him, Ms. K was beaten because she did not keep a clean enough house or prepare meals her boyfriend liked. She finally left when he told her that she would be beaten when he returned home from work for failing to iron his shirt. LASOC assisted her in applying for restraining orders and custody and visitation orders. The judge indicated that she was the textbook domestic violence victim and granted the orders as requested.

In New York, Legal Services of New York (LSNY) represented Ms. S. who was widowed when her husband, the primary breadwinner of the family and an employee of the World Trade Center, was killed on September 11, 2001. Shortly after the tragedy, while she was still in shock and grieving her loss, a finance company began eviction proceedings against her despite the fact that she had paid her rent. She learned that a foreclosure proceeding against her landlord had resulted in the landlord's loss of the house. LSNY successfully negotiated a settlement with the finance company and Ms. S. was given enough time to find another affordable place to live.

When Ms. A. was in junior high school she was assaulted so viciously that she could no longer walk. As a young adult she lived in her own apartment but required

twenty-four hour a day living assistance. The state decided to decrease her home health care hours to save costs. Since Ms. A. was dependent on the availability of health care and assisted living on a twenty-four hour a day basis, the potential loss of her home health care benefits would give the young woman little choice but to enter a nursing home. With the assistance of Legal Aid of Western Missouri (LAWMO), Ms. A. was able to retain her home health care assistance and graduated from college. She now plans a career as a legal service attorney.

Ms. P acquired a ten-acre parcel of property in rural Idaho prior to her marriage. With the help of friends and neighbors she constructed a small home on the property. Eventually she married. Within a week of the marriage, her new husband, taking advantage of her disabilities, convinced her to sign a quitclaim deed giving him a one-half interest in her property. Over time he acquired complete control of their finances and incurred \$85,000 in debt. He grew abusive and was arrested for domestic violence. Upon his release from jail he filed for divorce and asked that “their” land and home be sold to cover the credit card debt. Idaho Legal Aid Services represented her in a multi-day trial. The court revoked the quitclaim deed and assigned the vast majority of the credit card debt to Ms. P’s ex-husband.

Conclusion

The preceding stories illustrate the types of individuals our programs serve across the nation each day and demonstrate the vital role that civil legal services programs play in helping poor individuals and families achieve self-sufficiency and obtain the relief they need and deserve. Understanding all too well that LSC-funded programs are often the last line of defense for poor clients facing extreme crises, the LSC Board and staff members remain uniformly committed to promoting access to the civil justice system for all.

We at LSC are proud of our partnership with Congress and grateful for the bipartisan support we have earned over the past decade. We also deeply appreciate the support the Bush Administration has shown for our efforts to provide equal access to justice for low-income Americans in the most efficient and effective manner possible. The LSC Board and staff members will continue forward in this collaborative spirit and build upon these important relationships in the future as we strive to one day achieve equal justice under law for all Americans. Thank you.